



IFx4/1615

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 7940**
Yukiko YOKOI et al. : Attorney Docket No. 2005_0520A
Serial No. 10/530,046 : Group Art Unit 1615
Filed April 1, 2005 : Examiner Not Yet Assigned
ANTIBIOTIC PHARMACEUTICAL : **Mail Stop: Amendment**
COMPOSITION WITH IMPROVED
ORAL ABSORBABILITY

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO 23-0975

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☒ each U.S. Patent and U.S. Patent application publication;
- ☐ each reference previously cited in the international application
PCT/_____; and/or
- ☐ each reference previously cited in prior parent application Serial No.
_____.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and

the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
 - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
 - c. ☐ the concise explanation contained in the specification of the present application at page,
 - d. ☐ the concise explanation set forth in the attached English language abstract,
 - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☐ A foreign patent office search report citing one or more of the references is enclosed.
6. ☐ Statement Under 37 CFR 1.704(d)

Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Yukiko YOKOI et al.

By Warren M. Cheek
Warren M. Cheek
Registration No. 33,367
Attorney for Applicants

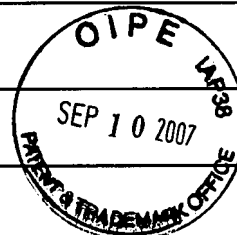
WMC/lk
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
September 10, 2007

INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: September 10, 2007

ATTY DOCKET NO.
2005_0520ASERIAL NO.
10/530,046APPLICANT
Yukiko YOKOI et al.FILING DATE
April 1, 2005GROUP
1615

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,486,149	11/2002	Onodera et al.			
	AB	6,441,162	8/2002	Yasui et al.			
	AC	6,342,493	1/2002	Onodera et al.			
	AD	6,294,669	9/2001	Yasui et al.			
	AE	5,958,915	9/1999	Abe et al.			
	AF	5,948,422	9/1999	van Koutrik et al.			
	AG	4,470,980	9/1984	Higuchi et al.			
	AH						
	AI						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AJ	97/13516	4/1997	WO			Abstract	
	AK	62-265226	11/1987	JP			X	
	AL	60-188320	9/1985	JP			X	
	AM	60-126230	7/1985	JP			X	
	AN	1-128926	5/1989	JP			X	
	AO	0 339 465	11/1989	EP				
	AP							

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	
--	----	--

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include cop. this form with next communication to applicant.